

REMARKS

In response to the Office Action of July 15, 2009, claim 11 has been amended to further clarify the features of the invention. Claim 13 has been amended to a dependent form, and new claim 20 has been filed.

On page 3 of the Action, claims 11-15 and 19 were rejected under 35 U.S.C. 112, second paragraph.

In view of the rejection, the portion the Examiner referred to has been change to "a top end located inside the hat body extending substantially horizontally and forming a horizontal edge of the visor portion without having a portion extending further inwardly from the top end"

Namely, the top end of the visor portion is located inside the hat body, wherein the top end extends substantially horizontally and forms a horizontal edge of the visor portion, and wherein there is no portion extending further inwardly from the top end. The recitation "without having a portion extending further inwardly from the top end" emphasizes that the top end is the edge of the visor portion.

On pages 3 of the Action, claims 11-15 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tanizawa in view of Grilliot et al.

A safety hat of claim 11 comprises a hat body, and a visor portion attached to the hat body. The hat body includes a front eave portion extending downwardly from the top portion and having a lower end extending substantially horizontally.

The visor portion attached to the hat body has the top end located inside the hat body extending substantially horizontally and forming the horizontal edge of the visor portion without having a portion extending further inwardly from the top end. Namely, the top end of the visor portion forms the horizontal edge. An upper surface of the visor portion is smoothly curved upwardly from the

front end toward the top end.

In Tanizawa, a helmet comprises a main portion 1 with a visor h and a top area, and a cover portion 2 covering the top area of the main portion 1. The main portion 1 includes openings 1b spaced by stems 1c at a front side. The cover portion 2 includes openings 2b with comb portions 2a engaging the engaging holes 1a of the main portion 1. The front end of the cover portion 2 partly covers the openings 1b of the main portion.

In Tanizawa, therefore, the visor h extends continuously to the top portion through the stems 1c, and the cover portion 2 simply covers the top area.

In the invention, the top end of the visor portion is located inside the hat body and forms the horizontal edge of the visor portion without having a portion extending further inwardly from the top portion. In Tanizawa, the visor h extends to the top area through the comb portions. The visor h does not have the top end forming the horizontal edge of the invention.

Therefore, the features of the invention are not disclosed in Tanizawa.

In Grilliot et al., a hood 10 includes a helmet 30, and a head band 36 attached to the helmet 30 through straps 24. When the head band 36 is worn by a user to hold the helmet 30 on the user, a space is formed with respect to the helmet.

The inner side of the helmet 30 has a surface continuously extending from a visor portion to the inner side of the helmet. However, the visor portion does not continuously smoothly extend inwardly into the hat body with a space relative to the lower end of the front eave portion to form a front air hole between the lower end of the front eave portion and the visor portion, as defined in claim 11 of the invention.

Grilliot et al. does not disclose any features of the invention.

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As explained above, the features of the invention are not disclosed in Tanizawa and Grilliot et al. Even if Tanizawa and Grilliot et al. are combined, claims pending in the application are not obvious.

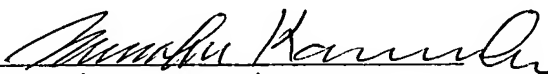
Reconsideration and allowance are earnestly solicited.

In order to clarify the features of the invention over the cited references, a personal interview is requested. Please call the undersigned agent (703-519-9785) when the application is examined.

Two month extension of time is hereby requested. A credit card authorization form in the amount of \$245.00 is attached herewith for the two month extension of time.

Respectfully Submitted,

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